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# COMMONWEALTH OF VIRGINIA



## OFFICE OF THE GOVERNOR

### Executive Order 38

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#### **DECLARATION OF A STATE OF EMERGENCY IN THE COMMONWEALTH OF VIRGINIA DUE TO SEVERE ICE CONDITIONS**

The health and general welfare of the citizens of the Commonwealth require that state action be taken to help alleviate the ice-related conditions that currently exist in many areas of the Commonwealth. I find that the power outages caused by this ice storm and the projection of a power restoration time of several days constitutes a natural disaster wherein human life and public and private property are imperiled, as described in §44-75.1.A.4 of the *Code of Virginia*.

Therefore, by virtue of the authority vested in me by §44-146.17 of the *Code of Virginia*, as Governor and as Director of Emergency Management, and subject always to my continuing and ultimate authority and responsibility to act in such matters, I hereby confirm, ratify, and memorialize in writing my verbal orders issued December 11, 2002, wherein I proclaimed that a state of emergency exists throughout the Commonwealth and directed that appropriate assistance be rendered by agencies of both state and local governments to alleviate power outages resulting from this storm.

In order to marshal all public resources and implement response and recovery measures to meet this threat and recover from its effects, and in accordance with my authority contained in §44-146.17 of the Emergency Services and Disaster Laws, I hereby order the following protective and restoration measures:

- A. The authorization of the Departments of State Police, Transportation and Motor Vehicles to recognize temporary registration and license exemptions to carriers operating in response to the power restoration efforts statewide. This authorization shall apply to hours worked by any carrier when transporting passengers, property, equipment, fuel, construction materials and other critical supplies to or from any portion of the Commonwealth for purpose of providing

relief or assistance as a result of this disaster, pursuant to §52-8.4 of the *Code of Virginia*.

- B. These exemptions to the hours worked by carriers shall remain in effect from December 11, 2002, through December 16, 2002, or whenever the crisis has abated, whichever is sooner.

This Executive Order shall remain in full force and effect until December 17, 2002, unless sooner amended or rescinded by further executive order. Termination of the Executive Order is not intended to terminate any Federal-type benefits granted or to be granted due to injury or death as a result of service under this Executive Order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 11th day of December, 2002.

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Mark R. Warner, Governor

Attest: \_\_\_\_\_  
Secretary of the Commonwealth